E. ROBERT SEAVER, CLERK

# In the Supreme Court

of the United States

TERM, 1971

No. 70-314

BRUNETTE MACHINE WORKS, LTD., Petitioner.

KOCKUM INDUSTRIES, INC.,

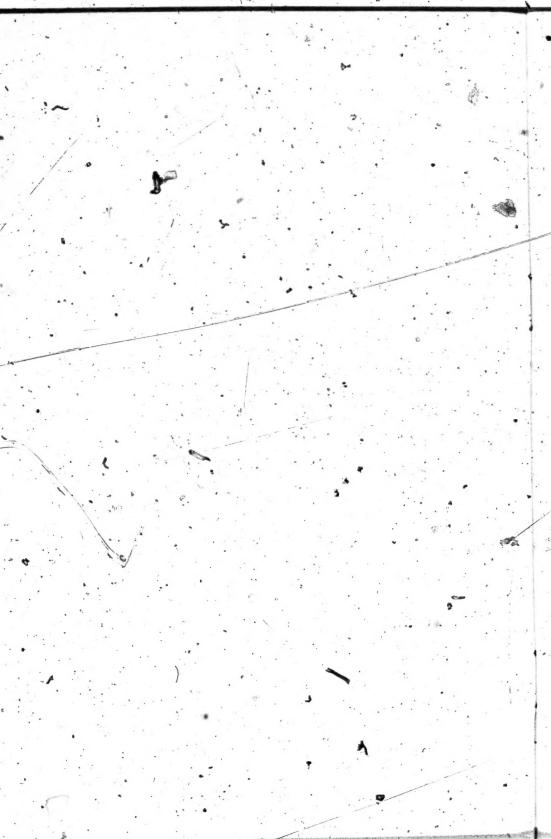
Respondent.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Petition for Certiorari Filed June 21, 1971 Certiorari Granted December 7, 197P

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### **APPENDIX**

Chronological List of Date Relevant Docket Entries 1969 Complaint filed U.S. District Court for the Jan 23: District of Oregon District Court clerk issued summons and mailed by registered mail to Brunette Works, Ltd., 149 Nelson Machine Street, New Westminster, British Columbia, Canada. District Court clerk received return re-29 ceipt on registered mail to Brunette Marine Works, Ltd. (received 1-27-69) Deft's Motion to dismiss filed Feb 7 Hearing on deft's motion to dismiss 17 Order entered sustaining deft's motion to 20 dismiss Plt's notice of appeal filed 28 1971 Opinion and Judgment of Court of Ap-Apr 20 peals for Ninth Circuit filed Petition for writ of certiorari filed Jun 21 Certiorari granted Dec 1 7

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IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

KOCKUM INDUSTRIES, INC.,

Plaintiff, CIVIL ACTION
No. 69-42

BRUNETTE MACHINE WORKS, LTD.,

COMPLAINT

Defendant.

I

This is an action for patent infringement; this Court has jurisdiction under 28 U.S.C., §§ 1338(a) and 1391(d), and ORS 14.035.

II

Plaintiff Kockum Industries, Inc., is a corporation of the State of Alabama having its principal place of business in Talladega, Alabama, and having a regular and established place of business in Tualatin, A Oregon.

#### III

Defendant Brunette Machine Works Ltd., is a corporation of British Columbia, Canada, having its principal place of business at 149 Nelson Street, New Westminster, British Columbia.

# IV

On October 7, 1958, United States Letters Patent No. 2,855,010 were duly and legally issued to Svenska Cellulosa Aktiebolaget, Stockholm, Sweden, for an invention in a barking machine, and all rights in said patent have been subsequently duly and legally assigned to plaintiff by an instrument in writing recorded in the United States Patent Office, and all rights in said patent are now owned by plaintiff.

#### V

On December 25, 1956, United States Letters Patent No. 2,775,274 were duly and legally issued to Axel Erland Andersson, Gavle, Sweden, for a bark-removing machine, and all rights in said patent have been subsequently duly and legally assigned to Soderhamns Verkstader AB, a corporation of Sweden, and by such corporation to plaintiff, all by instruments in writing recorded in the United States Patent Office, and all rights in said patent are now owned by plaintff.

# VI

In about 1964, defendant Brunette Machine Works Ltd., commenced the manufacture and sale in British Columbia of a ring-type debarker with self-opening tool arms commonly known in the trade as the "Brunette" barker.